

LBNL – PROCUREMENT STANDARD PRACTICES

Section: 19

Socioeconomic Programs

Subject: 19.8

Reporting Socioeconomic Participation

PURPOSE:	This standard practice (SP) describes the procedures for preparing and submitting the <i>Small Business Report</i> . Copies of this report are maintained as a part of the record of Laboratory solicitations and awards to small business concerns, as required by the Prime Contract.
POLICY:	Small business concerns are provided an equitable opportunity to compete for Laboratory procurements. Procurement specialists will take reasonable actions to encourage participation by such firms.
SCOPE:	This SP is applicable to all subcontracts awarded to business concerns located in the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the District of Columbia, with an estimated acquisition value exceeding \$100,000.
Exception	This SP is not applicable to subcontracts involving performance outside of the United States or its outlying areas and subcontracts to an organizational affiliate of LBNL (i.e., a UC campus or UC Laboratory).
DEFINITIONS:	See SP 19.1, <i>Socioeconomic Programs – General</i> , for definitions concerning socioeconomic programs and the 8(a) pilot program and SP 19.4, <i>Subcontracting Plans</i> , for definitions concerning subcontracting plans.
Small Business (SB) Concern	As used herein, the term small business (SB) concern includes: small business (SB), HUBZone small business (HZSB), small disadvantaged business (SDB), service-disabled veteran-owned small business (SDVOSB), veteran-owned small business (VOSB), women-owned small business (WOSB), and 8(a) concerns.
PROCEDURES:	
Solicitation	<p>Procurement specialists must assure that the time established for preparation of offers, the quantities, the specifications, and the delivery schedules will facilitate participation by SB concerns, to the extent practicable. The North American Industrial Classification System (NAICS) Codes will be included in all solicitations.</p> <p>Procurement specialists should consult with the Laboratory's Small Business and Supplier Management Office (SB&SMO) for information on trade associations, business development organizations, trade fairs, etc., that will provide small business sources.</p>

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Additionally, advertising the requirement in publications such as newspapers and trade journals can be used to enhance small business subcontracting opportunities.

Representations and Certifications

Procurement specialists will assure that offerors submit a completed *Standard Representations and Certifications* form with the offeror's socioeconomic status indicated. See SP 19.1, *Socioeconomic Programs – General*, for specific instructions.)

Procurement specialists shall obtain an offeror's representation that it is a small business concern. With the exception of HZSB, SDB, and 8(a) concerns, the Laboratory may rely on a subcontractor's written representation regarding its socioeconomic business status.

The procurement specialist shall verify the socioeconomic business status of HZSB, SDB, and 8(a) concerns prior to award, through a search of the *SBA Dynamic Small Business Search* database, which accessible from the Central Contractor Registration Website at <http://www.ccr.gov> or by obtaining a copy of the SBA Certification.

- Another offeror or interested party challenges the business concern's small business representation; or
- The procurement specialist has a reason to question the representation.

Where it reasonably appears that a firm has misrepresented its socioeconomic status, the SB&SMO will consult with the DOE Contracting Officer and refer the case to the U.S. Small Business Administration (SBA) as a status protest. The SBA is the only government agency authorized to adjudicate protests against the claimed status of a firm in the award of government prime contracts or subcontracts.

Documentation

For subcontracts with a total acquisition value exceeding \$100,000, and modifications increasing a subcontract by over \$100,000, the subcontract file will be documented with the following minimum information using the *Small Business Report* form located in the *FormCab* on the Procurement Server.

- Subcontractor's name;
- Date of Award;
- Whether SB concerns were solicited;
- Whether a set-aside was utilized and whether it was an 8(a) set-aside, small business set-aside, etc.;

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- The reason(s) for not soliciting SB concerns;
- Special outreach efforts performed to facilitate use of SB concerns.

The original copy of the form will be submitted to the SB&SMO and one duplicate copy will be retained in the subcontract file.

Obtaining and Reporting Socioeconomic Statistics

The Procurement System Support Group will obtain the Laboratory's Support Group socioeconomic statistics from Procurement MIS systems for the SB&SMO submission in the *Electronic Subcontracting System (eSRS)* the *Individual Subcontracting Report (IRS)* (formerly Standard Form 294, *Subcontracting Report for Individual Contracts*), and *Summary Subcontracting Report (SSR)* (formerly Standard Form 295 *Summary Subcontract Report*), with concurrence from the SB&SMO, for submittal of the IRS to the DOE Contracting Officer and submittal of the SSR to the DOE Office of Science, Small Business Program Manager.

RESPONSIBILITIES:

Procurement Specialist

The procurement specialist must:

- Require offerors to complete the "*Standard Representation and Certification*" form;
- Refer questions about the small business status of a business concern to SB&SMO, DOE, and SBA; and
- Prepare the *Small Business Report*, located in the *FormCab* on the Procurement Server, after subcontract award and retain a copy for the subcontract file.

Procurement System Support Group

The Procurement System Support Group will obtain socioeconomic statistics from the Procurement MIS systems and provide the information to the SB&SMO to prepare the IRS and SSR reports.

Small Business Supplier Management Office (SB&SMO)

The SB&SMO will:

- Administer the socioeconomic program in accordance with the Laboratory's Subcontracting Plan (Appendix H of the Prime Contract).
- Monitor compliance with the requirements of this SP.
- Assist procurement specialists in searches for small business sources, and;
- Maintain a file with a hard copy of all *Small Business Reports*.

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REFERENCE:

Prime Contract, Appendix H - Small Business, Veteran-Owned Small Business, Service-Disabled Veteran-Owned Small Business, HubZone Small Business, Small Disadvantaged Business, and Women-Owned Small Business Model Subcontracting Plan